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17 DELOITTE & TOUCHE LLP

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19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA
21 SAN FRANCISCO DIVISION

22 JAMES BRADY, SARAH CAVANAGH, and
23 IVA CHIU, individual and on behalf of all others
24 similarly situated,

25 Plaintiffs,

26 v.

27 DELOITTE & TOUCHE LLP, a limited liability
28 partnership; and DOES 1-10, inclusive,

Defendants.

Case No. C-08-00177-SI

**[PROPOSED] SCHEDULING
ORDER FOR DELOITTE &
TOUCHE LLP'S
DECERTIFICATION MOTION**

Dept.: 10

Judge: The Hon. Susan Illston

Complaint filed: February 8, 2008

Trial Date: None Set

1 Whereas, on June 21, 2011, this Court directed the parties to file a joint statement
2 regarding the impact of *Campbell v. PricewaterhouseCoopers, LLP*, Case No. 09-163702011
3 U.S. App. LEXIS 12062 (9th Cir. 2011) on the cross-motions for summary judgment and
4 adjudication previously filed by the parties; and

5 Whereas, the parties filed a joint statement with the Court on July 6, 2011, in which they
6 proposed a sequence of briefing beginning with a motion for decertification in light of *Walmart v.*
7 *Dukes*, No. 10-277, 2011 U.S. LEXIS 4567 (June 20, 2011) and *Campbell*; and

8 Whereas, the parties agreed that any further summary judgment briefing should be held in
9 abeyance until the decertification issue is resolved; and

10 Whereas, to the extent that the Court decides to hear Defendant's decertification motion
11 prior to the summary judgment motions, the parties have agreed that: 1) all submissions will be
12 based only on the present factual record before the Court (prior motion for certification and
13 pending motions for summary judgment and summary adjudication); 2) Plaintiffs may be
14 permitted to file a 5 page sur-reply on the decertification motion; and 3) the briefing schedule
15 shall be slightly modified as follows: three weeks to oppose, two weeks to reply, seven days for a
16 sur-reply,

17 IT IS HEREBY ORDERED that the following briefing deadlines be set with regard to
18 Deloitte & Touche LLP's Motion for Decertification:

19 Defendant shall file its decertification motion no later than: July 21, 2011

20 Plaintiffs' opposition will be due by: August 11, 2011

21 Defendant's reply will be due by: August 25, 2011

22 Plaintiffs' sur-reply will be due by: September 1, 2011

23 Hearing: September 16, 2011 or another date (with the exception of September 23, 2011)
24 thereafter that is acceptable to the Court.

25 IT IS FURTHER ORDERED that any briefing and hearing on the parties' summary
26 judgment motions be postponed until after decertification is resolved.

1 Dated: 7/20/11

2 By:



3 HONORABLE SUSAN ILLSTON
4 District Judge of the Northern District
5 of California

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